

PTO/SB/30(05-03)

Approved for use through 7/31/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/641,014
Filing Date	August 17, 2000
First Named Inventor	Dieter Wenniger et al.
Art Unit	1711
Examiner Name	Melanie Blissett
Attorney Docket Number	101769-67/ tesa 634

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.**

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
  - a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii. ☐ Other see Amendment under 37 CFR 1.116 of 13 August 2004
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement (IDS)
    - iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - b. ☒ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1263
    - i. ☒ RCE fee required under 37 CFR 1.17(e)
    - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - iii. ☐ Other \_\_\_\_\_
  - b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - c. ☐ Payment by credit card (Form PTO 2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## **SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print / Type)	Howard C. Lee	Registration No. (Attorney / Agent)	48,104
Signature	<i>Howard C. Lee</i>	Date	November 15, 2004

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Agata Glinska	Date	November 15, 2004
Signature	<i>Agata Glinska</i>		

This collection of information is required by 37 CFR 1.118. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$790.00

**Complete if Known**

Application Number	09/641,014
Filing Date	August 17, 2000
First Named Inventor	Wenninger et al.
Examiner Name	Melanie Blissett
Art Unit	1711
Attorney Docket No.	101769-67/ tesa 634

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																													
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 14-1263 Deposit Account Name: Norris, McLaughlin & Marcus The Operator is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051 130</td> <td>2051 65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non - English specification</td> <td></td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> <td></td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>1252 430</td> <td>2252 215</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>1253 980</td> <td>2253 490</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1254 1,530</td> <td>2254 765</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>1255 2,080</td> <td>2255 1,040</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>1401 340</td> <td>2401 170</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402 340</td> <td>2402 170</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403 300</td> <td>2403 150</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>1452 110</td> <td>2452 55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>1453 1,370</td> <td>2453 685</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>1501 1,370</td> <td>2501 685</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502 490</td> <td>2502 245</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1503 660</td> <td>2503 330</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>1460 130</td> <td>1460 130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>1807 50</td> <td>1807 50</td> <td>Processing fee under 37 CFR § 1.17(q)</td> <td></td> </tr> <tr> <td>1808 180</td> <td>1808 180</td> <td>Submission of Information Disclosure Statement</td> <td></td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>1809 790</td> <td>2809 395</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>1810 790</td> <td>2810 395</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>1801 790</td> <td>2801 395</td> <td>Request for Continued Examination (RCE)</td> <td>790.00</td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> <tr> <td colspan="2">Other fee (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (1) (\$)</td> <td colspan="2">SUBTOTAL (3) (\$) \$790.00</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1051 130	2051 65	Surcharge - late filing fee or oath		1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		1053 130	1053 130	Non - English specification		1812 2,520	1812 2,520	For filing a request for ex parte reexamination		1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		1251 110	2251 55	Extension for reply within first month		1252 430	2252 215	Extension for reply within second month		1253 980	2253 490	Extension for reply within third month		1254 1,530	2254 765	Extension for reply within fourth month		1255 2,080	2255 1,040	Extension for reply within fifth month		1401 340	2401 170	Notice of Appeal		1402 340	2402 170	Filing a brief in support of an appeal		1403 300	2403 150	Request for oral hearing		1451 1,510	1451 1,510	Petition to institute a public use proceeding		1452 110	2452 55	Petition to revive - unavoidable		1453 1,370	2453 685	Petition to revive - unintentional		1501 1,370	2501 685	Utility issue fee (or reissue)		1502 490	2502 245	Design issue fee		1503 660	2503 330	Plant issue fee		1460 130	1460 130	Petitions to the Commissioner		1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)		1808 180	1808 180	Submission of Information Disclosure Statement		8021 40	8021 40	Recording each patent assignment per property (times number of properties)		1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))		1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))		1801 790	2801 395	Request for Continued Examination (RCE)	790.00	1802 900	1802 900	Request for expedited examination of a design application		Other fee (specify)				SUBTOTAL (1) (\$)		SUBTOTAL (3) (\$) \$790.00	
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
1051 130	2051 65	Surcharge - late filing fee or oath																																																																																																																													
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet																																																																																																																													
1053 130	1053 130	Non - English specification																																																																																																																													
1812 2,520	1812 2,520	For filing a request for ex parte reexamination																																																																																																																													
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action																																																																																																																													
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action																																																																																																																													
1251 110	2251 55	Extension for reply within first month																																																																																																																													
1252 430	2252 215	Extension for reply within second month																																																																																																																													
1253 980	2253 490	Extension for reply within third month																																																																																																																													
1254 1,530	2254 765	Extension for reply within fourth month																																																																																																																													
1255 2,080	2255 1,040	Extension for reply within fifth month																																																																																																																													
1401 340	2401 170	Notice of Appeal																																																																																																																													
1402 340	2402 170	Filing a brief in support of an appeal																																																																																																																													
1403 300	2403 150	Request for oral hearing																																																																																																																													
1451 1,510	1451 1,510	Petition to institute a public use proceeding																																																																																																																													
1452 110	2452 55	Petition to revive - unavoidable																																																																																																																													
1453 1,370	2453 685	Petition to revive - unintentional																																																																																																																													
1501 1,370	2501 685	Utility issue fee (or reissue)																																																																																																																													
1502 490	2502 245	Design issue fee																																																																																																																													
1503 660	2503 330	Plant issue fee																																																																																																																													
1460 130	1460 130	Petitions to the Commissioner																																																																																																																													
1807 50	1807 50	Processing fee under 37 CFR § 1.17(q)																																																																																																																													
1808 180	1808 180	Submission of Information Disclosure Statement																																																																																																																													
8021 40	8021 40	Recording each patent assignment per property (times number of properties)																																																																																																																													
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																													
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																													
1801 790	2801 395	Request for Continued Examination (RCE)	790.00																																																																																																																												
1802 900	1802 900	Request for expedited examination of a design application																																																																																																																													
Other fee (specify)																																																																																																																															
SUBTOTAL (1) (\$)		SUBTOTAL (3) (\$) \$790.00																																																																																																																													
<b>1. BASIC FILING FEE</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1001 790</td> <td>2001 395</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1002 350</td> <td>2002 175</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1003 550</td> <td>2003 275</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1004 790</td> <td>2004 395</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005 100</td> <td>2005 50</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (1) (\$)</td> <td colspan="2"></td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1001 790	2001 395	Utility filing fee		1002 350	2002 175	Design filing fee		1003 550	2003 275	Plant filing fee		1004 790	2004 395	Reissue filing fee		1005 100	2005 50	Provisional filing fee		SUBTOTAL (1) (\$)				<b>2. EXTRA CLAIM FEES FOR UTILITY AND</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1202 18</td> <td>2202 9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201 88</td> <td>2201 44</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203 300</td> <td>2203 150</td> <td>Multiple dependent claim, If not paid</td> <td></td> </tr> <tr> <td>1204 88</td> <td>2204 44</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205 18</td> <td>2205 9</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="2">SUBTOTAL (2) (\$)</td> <td colspan="2">\$0.00</td> </tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	1202 18	2202 9	Claims in excess of 20		1201 88	2201 44	Independent claims in excess of 3		1203 300	2203 150	Multiple dependent claim, If not paid		1204 88	2204 44	** Reissue independent claims over original patent		1205 18	2205 9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$)		\$0.00																																																																					
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
1001 790	2001 395	Utility filing fee																																																																																																																													
1002 350	2002 175	Design filing fee																																																																																																																													
1003 550	2003 275	Plant filing fee																																																																																																																													
1004 790	2004 395	Reissue filing fee																																																																																																																													
1005 100	2005 50	Provisional filing fee																																																																																																																													
SUBTOTAL (1) (\$)																																																																																																																															
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid																																																																																																																												
1202 18	2202 9	Claims in excess of 20																																																																																																																													
1201 88	2201 44	Independent claims in excess of 3																																																																																																																													
1203 300	2203 150	Multiple dependent claim, If not paid																																																																																																																													
1204 88	2204 44	** Reissue independent claims over original patent																																																																																																																													
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent																																																																																																																													
SUBTOTAL (2) (\$)		\$0.00																																																																																																																													

\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Howard C. Lee	Registration No. (Attorney/Agent)	48, 104
Signature	Howard C. Lee	Telephone	212-808-0700
		Date	November 15, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.